



USSN: 10/033,129
Dkt. No.: 8325-2001.30
G1-US3

PATENT

CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Reissue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on _____.

Date

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re REISSUE Application of:

CHOO et al. (U.S. Patent No. 6,007,988)

Serial No.: 10/033,129

Filing Date: December 27, 2001

Title: RELATING TO BINDING PROTEINS FOR
RECOGNITION OF DNA

Examiner: T. McKelvey

Group Art Unit: 1636

Confirmation No.: 1808

Customer No.: 20855

SUPPLEMENTAL DECLARATION BY INVENTORS

As a below named inventor, I hereby declare that:

I have reviewed and understand the contents of the specification, including the claims, as amended on December 27, 2001; January 22, 2002; December 13, 2002; March 26, 2003; January 12, 2004; March 5, 2004; March 30, 2004; June 17, 2004; September 2, 2004; December 20, 2004; December 22, 2004 and herewith.

Every error in the patent which was corrected in the present reissue application, and is not covered by a prior declaration submitted in this application, arose without any deceptive intention on the part of the applicants.

I believe the original patent to be

(XX) partly () wholly

inoperative because of error or errors, all of which were without any deceptive intent on the part of the applicant, by reason of said patent claiming

() more (XX) less

than patentee had a right to claim.

It was an error not to have claimed in the original patent a method of modifying a nucleic acid sequence of interest present in a sample mixture by binding thereto a zinc finger polypeptide wherein the zinc finger polypeptide is designed for binding to a particular target DNA sequence by a method comprising the steps of screening against at least a portion of the target DNA sequence, zinc finger polypeptides having a partially randomized zinc finger, the portion of the target DNA sequence being sufficient to allow binding of some of the zinc finger polypeptides, the zinc finger polypeptides being encoded by a library of DNA sequences, each sequence encoding a zinc finger polypeptide for display, the zinc finger polypeptide comprising at least one zinc finger having partially randomized allocation of amino acids, the partially randomized zinc finger having a random allocation of amino acids at positions -1, +2, +3 and +6 and at least one of positions +1, +5 or +8, position +1 being the first amino acid in the alpha helix of the zinc finger, and selecting those nucleic acid sequences encoding randomized zinc fingers which bind to the target DNA sequence;

the method of modifying the nucleic acid sequence of interest comprising contacting the sample mixture with a zinc finger polypeptide having affinity for at least a portion of the sequence of interest, so as to allow the zinc finger polypeptide to bind specifically to the sequence of interest;

wherein the nucleic acid sequence of interest comprises a first polynucleotide operatively linked to a second polynucleotide that is heterologous to the first polynucleotide, the method further comprising the step of contacting the sample mixture with a third polynucleotide encoding the zinc finger polypeptide, wherein binding of the zinc finger polypeptide to a target site in the sequence of interest modulates expression of the sequence of interest;

and claims dependent therefrom.

This reissue application

() does (XX) does not

seek to enlarge the scope of said original patent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

My residence, post office address and citizenship are as stated below next to my name.

USSN: 10/033,129
Dkt. No.: 8325-2001.30
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